



IPW

DOCKET NO.: A2006-700610

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Thomas J. Novitsky et al.  
Serial No: 10/826,922  
Confirmation No.: 1022  
Filed: April 19, 2004  
For: KIT FOR DETECTING ENDOTOXIN IN AQUEOUS SOLUTIONS  
Examiner: Not yet assigned  
Art Unit: 1651

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 19th day of October, 2004.

Christopher R. Rhodes, Reg. No. 47,022

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

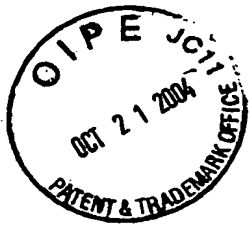
- ☒ Information Disclosure Statement with PTO Form 1449 and references
- ☒ Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 395-7000. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 50/2762. A duplicate of this sheet is enclosed.

Respectfully submitted,  
Thomas J. Novitsky et al., Applicant

By:   
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Date: October 19, 2004



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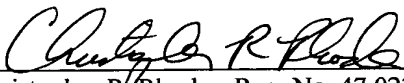
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Christopher R. Rhodes, Reg. No. 47,022

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

**PART I: Compliance with 37 C.F.R. §1.97**

A. ☒ [ X ] This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

**PART II: Information Cited**

A. ☒ [ X ] The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

1. [ X ] The applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

<u>Serial No.</u>	<u>Filing Date</u>	<u>Inventor(s)</u>
10/867,162	June 14, 2004	Thomas J. Novitsky et al.
10/897,979	July 23, 2004	Thomas J. Novitsky et al.
60/463,737	April 18, 2003	Thomas J. Novitsky et al.

### PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

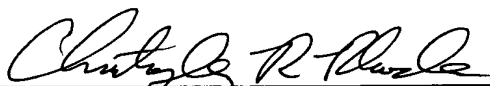
By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

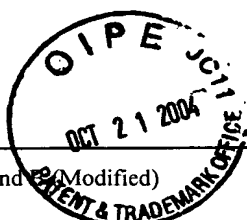
Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,  
*Thomas J. Novitsky, et al., Applicant*

By:   
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Tel. (617) 395-7000

Date: October 19, 2004



<b>FORM PTO-1449/A and (Modified)</b> <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		APPLICATION NO.: 10/826,922	ATTY. DOCKET NO.: A2006-700610
		FILING DATE: April 19, 2004	CONFIRMATION NO.: 1022
		APPLICANT: Thomas J. Novitsky et al.	
		GROUP ART UNIT: 1651	EXAMINER: Not yet assigned
Sheet	1	of	1

**U.S. PATENT DOCUMENTS**

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		

**FOREIGN PATENT DOCUMENTS**

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
	K	GB	1 530 748			11/01/1978	
	L	GB	1 522 127			08/23/1978	
	M	GB	1 502 795			03/02/1978	
	N	GB	1 499 846			02/01/1978	

**OTHER ART — NON PATENT LITERATURE DOCUMENTS**

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)	
	S	IWANGA, S. et al., "Molecular Mechanism of Hemolymph Clotting System in <i>Limulus</i> ", Thrombosis Research 68, pp. 1-32, 1992.		
	T	LAL Pyrotell, Kit Test Vial		

EXAMINER	DATE CONSIDERED
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.  
Include copy of this form with next communication to applicant.